

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

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KPM ANALYTICS NORTH AMERICA  
CORPORATION,

Plaintiff,

v.

BLUE SUN SCIENTIFIC, LLC; THE INNOVATIVE  
TECHNOLOGIES GROUP & CO., LTD; ARNOLD  
EILERT; MICHELLE GAJEWSKI; ROBERT  
GAJEWSKI; RACHAEL GLENISTER; GREGORY  
ISRAELSON; IRVIN LUCAS; and PHILIP  
OSSOWSKI,

Defendants.

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Civil Action No. 4:21-cv-10572-  
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**AFFIDAVIT OF ROBERT WILT IN SUPPORT OF  
DEFENDANT’S MOTION TO DISMISS**

1. I, Robert Wilt, certify that I have personal knowledge of the facts set forth herein. I am over the age of eighteen, I currently reside at 22189 Bay Shore Rd., Chestertown, MD 21620, and am fully competent to testify to the facts in this declaration.

2. I am co-founder and sole owner of Defendant The Innovative Technologies Group & Co (“ITGC”), a Maryland Corporation, whose address is 8017 Dorsey Run Rd., Jessup MD 20794. I am also Chairman and Director of Defendant Blue Sun Scientific, LLC, (“Blue Sun”), a Maryland limited liability company located at 8017 Dorsey Run Rd., Jessup MD 20794.

3. ITGC is a small manufacturing company formed on 5 June 1997 to design and manufacture analytical instruments using near infrared (NIR) spectroscopy. ITGC’s gross revenue over the last three years has been as follows:

Year	Gross Revenue
2020	\$1,208,909
2019	\$1,144,965
2018	\$923,540

4. Our customers include larger companies that provide analytical instrumentation for quality control applications. Unity Scientific, Inc. has been our customer since prior to 2015, purchasing parts for their NIR systems which they then sold to the food, dairy, agricultural and environmental markets.

5. On August 31, 2015, KPM Analytics, Inc. acquired Unity Scientific, Inc. Approximately three years later, on July 6, 2018 I formed Blue Sun to be the new sales and service arm of ITGC, and Blue Sun has since employed some of the individual defendants. Specifically, Blue Sun currently employs Arnold Eilert, Rachael Glenister, Irvin Lucas and Philip Ossowski.

6. After KPM Analytics, Inc. acquired Unity Scientific, Inc. they moved the headquarters from Connecticut to Massachusetts in July 2016. ITGC subsequently received purchase orders from Unity Scientific in Massachusetts between 2017 and 2018 and fulfilled fifteen (15) such orders totaling \$287,035.32 between 2017-2019. Those orders have no relation to the allegations in this lawsuit. ITGC has not fulfilled any purchase orders to Unity Scientific in Massachusetts since May 2019. ITGC also realized \$577,022.05 in receipts from Spectro Scientific in Chelmsford, Massachusetts between 2016-2020. Otherwise, ITGC derives no sales or revenue from customers in Massachusetts.

7. Paragraph 6 reflects the full extent of ITGC's sales to customers in Massachusetts. None of our employees or agents live in Massachusetts, perform any regular work in Massachusetts, or make sales calls in Massachusetts. ITGC does not maintain an office in Massachusetts, does not have a mailing address, post office box or telephone listing in Massachusetts, has never owned or

rented real property in Massachusetts, has never had any personal bank accounts in Massachusetts, has never paid any taxes in Massachusetts, has never been involved in a lawsuit in Massachusetts as a plaintiff or defendant, and does not regularly perform work or conduct business in Massachusetts. ITGC does not market products in the State of Massachusetts, and does not advertise nationally, regionally, or regularly to residents of Massachusetts. ITGC has an advertising website that does not take purchase orders.

8. Blue Sun does not maintain an office in Massachusetts, does not have a mailing address, post office box or telephone listing in Massachusetts, has never owned or rented real property in Massachusetts, has never had any personal bank accounts in Massachusetts, has never paid any taxes in Massachusetts, has never been involved in a lawsuit in Massachusetts as a plaintiff or defendant, and does not regularly perform work or conduct business in Massachusetts. Blue Sun does not market our products in the State of Massachusetts, nor systematically advertise in Massachusetts. Blue Sun has an advertising website that does not take purchase orders. Since Blue Sun's inception there have been no sales in Massachusetts. None of Blue Sun's employees or agents live or perform any work in Massachusetts, nor do they make sales calls in Massachusetts.

9. None of Arnold Eilert, Michelle Gajewski, Rachael Glenister, Gregory Israelson, Irvin Lucas or Philip Ossowski live or reside in Massachusetts. None maintains an office in Massachusetts, work in Massachusetts, and none have traveled to Massachusetts within the scope of their employment. I occasionally communicate with Messrs. Eilert, Gajewski, Glenister, Israelson, Lucas and Ossowski, but none of those communications originate or terminate in Massachusetts.

\* \* \* \* \*

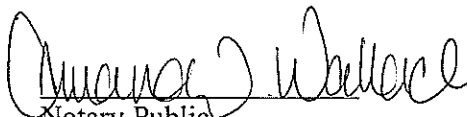
I declare, under penalty of perjury of the United States of America that the foregoing is true and correct to the best of my present knowledge.

By:   
Robert Wilt

5/7/2021  
Date

STATE OF MARYLAND                    )  
                                                          ) ss:  
COUNTY OF ~~ANNE ARUNDEL~~)  
                                  Kent

On this 7<sup>th</sup> day of May 2021, before me personally came Robert Wilt, known to me to be the individual described in and who executed the foregoing affidavit, and duly acknowledged to me that he executed the same and is the person described in the above affidavit; and that he signed his name hereto.

  
Notary Public

[SEAL]

